

MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION Regular Meeting, Tuesday, February 16, 2010 Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, P. Plante, B. Ryan
Members absent: B. Pociask
Alternates present: F. Loxsom (7:09 p.m.), V. Stearns
Alternates absent: K. Rawn
Staff Present: Gregory Padick (Director of Planning)

Chairman Favretti called the meeting to order at 7:01 p.m. Alternate Stearns was appointed to act in Pociask's absence.

Minutes:

2/1/10-Plante MOVED, Hall seconded, to approve the 2/1/10 minutes as written. MOTION PASSED with all in favor except Ryan who disqualified herself.

Zoning Agent's Report:

Padick reported in Hirsch's absence. Hirsch has sent notices to seven contractors he believes are operating home occupations and noted that only three have responded and filed applications which are currently under review. Hirsch's memo on interior illuminated window signs was referenced. Holt stated that the operation of neon signs in windows is usually tied to open hours of the business. She requested that Hirsch review the approval conditions of recent business to ensure that this condition is being followed. Chairman Favretti suggested the matter of indoor illuminated signs be added to the agenda for the next Regulatory Review Committee meeting.

Public Hearing:

Special Permit Application, Proposed Fitness Center at the Eastbrook Mall, 95 Storrs Rd, Cardio Express LLC., applicant, File # 1290

Chairman Favretti opened the continued Public Hearing at 7:07 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Ryan, and alternates Loxsom and Stearns. Alternate Stearns was appointed to act. Gregory Padick, Director of Planning noted a communication received from E. Wassmundt, dated 2-16-10 and distributed to the Commission this evening.

Peter Rasconi, President of Cardio Express, submitted neighborhood notification receipts. Rasconi stated that the opportunity has arisen to utilize the adjoining vacant store which will open the floor space by 2,000-2,600 square feet. He would not increase the amount of equipment, but the increase in square footage would allow more space between workout machines resulting in a more spacious and attractive environment.

Plante questioned Padick if a revised plan should be required for this change. Padick responded that it is the PZC's discretion, but with no additional equipment being proposed, a plan is not necessary.

Noting no further comments or questions from the audience or the Commission, Plante MOVED, Beal seconded, to close the Public Hearing at 7:13 p.m. MOTION PASSED UNANIMOUSLY.

Old Business:

2. Proposed Revision to Article X. Section C regarding Political Signs

Padick referenced his 2-9-10 memo and the revised draft to Article X, Section C, regarding Political Signs which now includes the prohibition of Political Signs on public property.

Public Hearing:

Special Permit Application, Proposed Sale of Alcoholic Liquor at Jack Rabbit's Restaurant, 1244 Storrs Road, File #1291

Chairman Favretti opened the public hearing at 7:15 p.m. Members present were Favretti, Beal, Goodwin, Hall, Holt, Lewis, Plante, Ryan, and alternates Loxsom and Stearns. Alternate Stearns was appointed to act. Gregory Padick, Director of Planning read the legal notice as it appeared in the Chronicle on 2/3/10 and 2/9/10. Padick noted the following communication received and distributed to the Commission: a letter received on 2-9-10 by M. Taylor, Managing Member of Storrs Associates, LLC, who owns the building; and a 2-9-10 memo from G. Padick, Director of Planning.

John Mellitz, Attorney, representing the applicant, and Jack Flaws, Managing Member of Jack Rabbit's Restaurant, were present. Mellitz submitted returned neighborhood notification receipts. He explained that the wine and beer service is complementary to the food service, and no alcohol will be served unless food is purchased. He stated their intention is not to use the facility as a bar. There will be neither television sets nor bar seating, in order to discourage and avoid lingering. All food and beverages will be ordered at the counter and served to the patrons at their tables.

Lewis expressed concern for long lines in the small ordering space should the restaurant become popular. Flaws responded that if that occurs, the plan will be re-evaluated.

Plante expressed concern with serving alcohol in close proximity to the High School and suggested that this matter be added to the next Regulatory Review agenda.

Noting no further comments or questions from the audience or the Commission, Hall MOVED, Plante seconded, to close the public hearing at 7:26 p.m. MOTION PASSED UNANIMOUSLY.

Old Business, continued:

1. Potential Re-Zoning of the "Industrial Park" zone on Pleasant Valley Rd and Mansfield Ave.

Padick reviewed the changes he made to the 10-15-09 draft. There were concerns raised by the Commission regarding retail sales of used vehicles, and the potential for tall towers that might be associated with radio, T.V. uses. By consensus the Commission agreed to eliminate a provision to allow warehouse storage and to remove from Item 14B the wording "other Mansfield Representatives."

3. Draft Policy on Transparency and Open Government

The consensus of the Commission was to forward Padick's report to the Town Council Sub-Committee and request they revisit the issues raised therein and also refine the report further.

4. Verbal feedback from Town Planner Re: Proposed Parking Ordinance for Residential Rental Properties and Student/Tenant Registry Ordinance

Padick updated the Commission on the proposed Parking Ordinance that has been referred to a Town Council Sub-Committee, and the tenant registry ordinance is currently being reviewed by the Community Quality of Life Committee.

New Business:

1. Review of February Draft Revision on Definition of Family

Padick updated the Commission on the draft revision defining "family" that is currently being

discussed by the Community Quality of Life Committee. He stated that ultimately this definition will be presented to the PZC for approval and regulation.

2. **Connecticut Siting Council Application for a Verizon Telecommunication Town in Willington off of Daleville Road**

Padick summarized the application and noted no significant impact to Mansfield, and therefore requiring no comments.

Reports of Officers and Committees:

Chairman Favretti discussed the Lifetime Achievement and Length of Service Awards from the Connecticut Federation of Planning and Zoning Agencies. It was the consensus of the Commission to nominate Gregory Padick, Director of Planning, for the Lifetime Achievement Award, and Kay Holt and former PZC Member Betty Gardner for the Length of Service Award.

Peter Plante requested that a Regulatory Review Committee meeting be scheduled in the near future.

Communications and Bills:

Noted.

Adjournment:

Chairman Favretti declared the meeting adjourned at 8:52 p.m.

Respectfully submitted,

Katherine Holt, Secretary